

**REGULAR SESSION OF THE  
BRIGHAM CITY COUNCIL  
MARCH 4, 2010**

PRESENT:	Dennis Fife Bruce Christensen Scott Ericson Ruth Jensen Tyler Vincent	Mayor Councilmember Councilmember Councilmember Councilmember
ALSO PRESENT:	Rick Bosworth Ben Boyce Mary Kate Christensen Blake Fannesbeck Jared Johnson Paul Larsen Bruce Leonard Mike Nelsen Tyler Pugsley Jason Roberts Paul Tittensor Dennis Vincent Ryan Abraham	Human Resource Coordinator Leisure Services Director City Recorder Public Works Director Community Development Manager Economic Development Director City Administrator Police Lieutenant Public Works Assistant Director Finance Director Chief of Police Police Lieutenant Interim Cemetery Sexton
EXCUSED:	Bob Marabella	Councilmember

Mayor Fife called the meeting to order. The Reverence Period was given by President John Ferry of the LDS West Stake. The scouts in the audience led the Pledge of Allegiance. A motion to approve the minutes of February 28, 2010 Council and Work Session was made by Councilmember Christensen. The motion was seconded and carried.

**PUBLIC COMMENT  
CONSENT**

Request to Schedule a Joint Work Session with the Public Utilities Advisory Board for March 18, 2010  
at 5:30 pm to Discuss Cost of Service Study  
Appointment to the Advisory Council on Aging  
Appointment to the Neighborhood Pride Council  
Appointment of Vice Chair of the Volunteers in Police Service Council

**NEW BUSINESS**

2009 Crime Statistics

**UNFINISHED BUSINESS**

Update on Proposed Solution to Customer Fiber Optic Issues  
Demolition of Newman Building

**MAKING LIFE BETTER - DEPARTMENT REPORTS**

**OTHER BUSINESS**

**PUBLIC COMMENT**

There were no comments from the public.

**CONSENT**

**Request to Schedule a Joint Work Session with the Public Utilities Advisory Board for March 18, 2010  
at 5:30 pm to Discuss Cost of Service Study**

**Appointment to the Advisory Council on Aging**

It was recommended Jim Madsen serve as a member of the Advisory Council on Aging.

**Appointment to the Neighborhood Pride Council**

It was also recommended Don Cowley serve on the Neighborhood Pride Council.

**Appointment of Vice Chair of the Volunteers in Police Service Council**

Warren Roundy was recommended to serve as Vice Chair of the Volunteers in Police Service Council.

MOTION: A motion to approve the Consent Agenda was made by Councilmember Ericson, seconded by Councilmember Christensen and unanimously carried.

**NEW BUSINESS**

**2009 Crime Statistics**

See attached report.

**UNFINISHED BUSINESS**

**Update on Proposed Solution to Customer Fiber Optic Issues**

Mr. Roberts came forward and presented a proposed solution if a resident has signed up to receive fiber optic to their home and since that time has plans to move to a new home within Brigham City. There have been a few requests from citizens with this particular situation and they would like to have the fiber optic line installed in their new home instead of the current address.

It was recommended that the customer sign a contract stating their intention to move to another location during the fiber optic construction period. When the contract is signed the City would let the subcontractor know not to install fiber to these locations. In addition, Corning would sign off that they would give the City a credit on their bill for the cost of installing fiber optics from the curb to this residence. The money saved from the credit would be used for the future installation. There is a risk that the installation to the new residence would cost more than the installation to the old residence, but staff felt that the financial risk would be minimum for the small number of people who are in this situation.

The City would also require the lien be paid in full prior to the selling of the property. When the lien is paid, the City would issue a "credit" to install fiber at a new location within the fiber optic footprint of the City upon request of the customer. Language should be included that if the customer does not request that the fiber be installed at a new location, they forfeit their right to receive service for the payment made.

The contract would also need to include a provision that states something to the effect that if full payment for the lien amount has not been received by a certain date, fiber optics will be installed to the original residence per the original consent and waiver form. This statement would assure that the City begins getting payments from customers to retire bonds as scheduled regardless of whether a citizen's home has sold or not.

The Council agreed with this recommendation.

Councilmember Jensen asked what can be done for other citizens that have asked to opt out of UTOPIA. Mr. Roberts stated that the consent and waiver form these citizens signed is a legal document. Mr. Kirk Morgan came forward and stated that the City has to be careful and be equitable with all citizens. The document they signed is a legal, binding document and neither the City nor the citizens can break that document.

**Demolition of Newman Building**

Mr. Johnson came forward and reported that he requested bids from six companies for the demolition of the Newman Building. Only two responded. One was for \$69,000 and the other was for \$49,000. Mr. Fannesbeck had told him that he felt Public Works could do the demolition for \$30,000.

MOTION: Councilmember Ericson made a motion to authorize Public Works to demolish the Newman Building and try to save the cornice on top. The motion was seconded by Councilmember Christensen, voting was unanimous.

**MAKING LIFE BETTER - DEPARTMENT REPORTS**

Chief Tittensor came to the table and reported that the Police Department recently came in second in the combined agencies for collecting the most donations for Special Olympics. Law Enforcement Agencies in Utah collected \$209,000. Law enforcement collected \$34 million in 2009 worldwide. Lt. Dennis Vincent is the Director of the Law Enforcement Special Olympics Torch Run for the State of Utah and Lt. Mike Nelsen is the Co-Director.

A motion to adjourn to a closed meeting to discuss the purchase, exchange or lease of real property, the character, professional competence or physical or mental health of an individual, and pending or reasonably imminent litigation was made by Councilmember Jensen. The motion was seconded and carried unanimously. The meeting adjourned at 7:42 p.m. The Council returned to an open meeting at 10:25 p.m. and adjourned.